

REMARKS

Applicant wishes to thank the examiner for the clear statements in the official action of October 8, 2004. Notably, the claims have been added in response to this office action. The Umezu, et al. patent is quite distinct from applicant's claimed invention. Applicant's claimed invention is a control, which is associated with a protection device for a motor. The control moves a refrigerant cycle to less loaded operation should there be an indication that a system condition could be approaching a predetermined limit at which the protection device will stop operation of the motor. New claims 15-20 have been added to define around Umezu, et al. by making clear that the protection device, and the motor are attached to (or in) the same housing.

Umezu, et al. is a device that is intended to protect a wall plug for an air conditioning unit, which is likely a window-mounted unit. The examiner points to the circuit breaker, that would be in the main electrical supply for the residence receiving the Umezu, et al. device, as being the "protection device."

Applicant's invention is intended to be associated with the protection device on the motor for the compressor. The circuit breaker of Umezu, et al. is not associated with the motor. Umezu, et al. cannot meet the limitations of the claims. What Umezu, et al. is doing is actually simply trying to protect a wall plug from being damaged during a current spike. The present invention is not directed at all to a wall plug, and the concern of Umezu, et al. would have nothing to do with the present invention.

For the reasons set forth above, all claims are allowable. An indication of such is solicited.

Respectfully submitted,


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CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5 day of January, 2005.


Laura Combs